

**BOARD OF ADJUSTMENT/ PLANNING & ZONING COMMISSION  
REGULAR MEETING**

**Monday, March 29, 2021 @ 4:00 PM  
Via Google Meet – recorded on YouTube**

Prior to the meeting getting started, Mr. Ben Maynes stated that he and Maria Perea were going to be the moderators for the meeting.

Chairman Mack Crow called the City of Las Vegas Planning & Zoning Commission meeting to order at 4:10 pm. Mr. Crow than requested a roll call.

**ROLL CALL: 1<sup>st</sup> time**

**Present:**

Joe Coca

Mack Crow

Dianne Lindsey

**Absent:**

Manny Barela

Mike Sweeney (No response)

Eugene Romero

3 members present, 3 members absent – no quorum

**Staff Members Present:**

Ben Maynes, Bldg. Code Supervisor

Maria Perea, P&Z Coordinator

The Pledge of Allegiances was not recited.

Chairman Crow asked if everyone had an opportunity to review the Agenda and asked for a motion to approve. Motion made to approve the agenda by Mr. Eugene Romero, motion seconded by Ms. Dianne Lindsey. Chairman Crow asked all in favor of approving the agenda, say “Aye”. All members said “Aye”. All opposed say nay. No opposition. Chairman Crow stated the motion was approved unanimously.

Chairman Crow stated that next on the agenda was the approval of minutes for June 29, 2020. Ms. Dianne Lindsey stated that there was a correction, the minutes for the June 29, 2020 meeting were approved at the last meeting. This are the minutes are for July 27, 2020. Chairman Crow asked for a motion to approve the minutes. Motion to approve the minutes was made by Ms. Dianne Lindsey, motion was seconded by Mr. Eugene Romero. Chairman Crow stated that there was a motion made to approve the minutes of July 27, 2020 with the correction stated by Dianne, there was a second and asked all in favor of approving the minutes with the corrections noted say “Aye”. All members said “Aye”. All opposed say “Nay”. No opposition. Chairman Crow stated that the motion passes unanimously.

Chairman Crow was having problems with his connection and kept going off-line.

Mr. Ben Maynes requested another roll call at approximately 4:30pm.

**ROLL CALL: 2<sup>nd</sup> time**

**Present:**

Joe Coca

Mack Crow

Dianne Lindsey

Eugene Romero (Came in @ 4:15pm)

Mike Sweeney (No response but was present at the meeting)

**Absent:**

Manny Barela

Chairman Crow stated that the next item of business was the introduction of new members. Mr. Ben Maynes introduced Mr. Eugene Romero to everyone.

Chairman Crow went off-line again. When the meeting resumed, Chairman Crow that we were at the introduction of new members and ask everyone present to introduce themselves. Everyone introduced themselves and spoke a little bit about themselves, in the following order.

Mack Crow  
Dianne Lindsey  
Joe Coca  
Eugene Romero  
Mike Sweeney  
Ben Maynes  
Katharine Walter (Applicant)  
Alejandro & Sharon Rivera (Applicant)  
Maria Perea

Mr. Ben Maynes asked the Chairman if we could include Mike Sweeney in the roll call, as he had been here all the time, although he did not respond. Chairman Crow stated yes. Ms. Perea stated that it had already been taken care off.

Chairman Crow continued that under new business, the first item was the election of a Chairperson and a Vice Chairperson. Chairman Crow asked for nominations for Chairperson. Mr. Mike Sweeney nominated Mack Crow; the nomination was seconded by Mr. Eugene Romero. Chairman Crow asked if there was any discussion. There was no discussion and Chairman asked for all members approving the nomination to say "Aye". All said "Aye". All opposed say nay. No opposition. Chairman Crow stated that he is now the new Chairman.

Chairman Crow asked for nominations for Vice Chairperson. Ms. Dianne Lindsey nominated Eugene Romero; the nomination was seconded by Mr. Mike Sweeney. Chairman Crow asked if there was any discussion. There was no discussion and Chairman asked for all members approving the nomination to say "Aye". All said "Aye". All opposed say nay. No opposition. Chairman Crow stated that Mr. Eugene Romero is the new Vice Chairman.

Chairman Crow stated that the second item under new business was the review and approval of the Board of Adjustment/Planning & Zoning By-law. Chairman Crow suggested that this item be tabled until the Board/Commission can meet face to face. The document is pretty lengthy, and he does not want to give blanket approval. Mr. Eugene Romero moved to table the approval of the By-Laws until a face-to-face meeting is scheduled, motion seconded by Ms. Dianne Lindsey. Chairman Crow asked all members to approve to table this item by stating "Aye" All said "Aye". All opposed, say nay. No opposition. Chairman Crow stated that Item # 2 was tabled.

Chairman Crow stated that the third item under new business was An Application for a Special Use Permit submitted by Roger & Katharine Walter, owners of 123 Bridge Street. They are asking for a Special Use permit to allow them to live on the premises where their business is going to be located.

Chairman Crow asked if there was any discussion on Item #3. Ms. Dianne Lindsey stated that she wanted to hear from Ms. Walter. Mr. Eugene Romero stated that if they were going to testify, they had to be sworn in. Chairman Crow asked all who were going to testify to raise their right hand and swear to tell the truth, the whole truth and nothing but the truth. All were sworn in. Ms. Walter stated that she is a glass artist, and the plans are to have a gallery in the front, a studio in the middle and a living area in the back. They have followed all the rules to get their business going. They have parking in the back for themselves and for customers, the area is fenced in. They are just waiting for this approval to continue with the living area. Ms. Maria Perea stated that the fence and carport are really nice, and they did get approval from the Design Review Board and the property permits for the projects. If this permit is approved, then we can finalize their CID permit. Mr. Ben Maynes, Floodplain Manager for the City of Las Vegas stated that the property is within the floodplain, but since the pergola is open in the back an elevation certificate is not required. The building is already existing, so nothing can be done about it. Chairman Crow asked if there were any other comments. Mr. Eugene Romero stated that it was nice to see people move into Las Vegas and wanting to open a business in the community. It is a well needed thing in the community and welcomed them.

Chairman Crow asked for a motion to approve the Special Use Permit. Mr. Mike Sweeney made a motion to approve the Special Use Permit as submitted, motion seconded by Ms. Dianne Lindsey. Chairman Crow asked for a Roll Call vote.

ROLL CALL: Eugene Romero – Yes  
Mike Sweeney – Yes  
Dianne Lindsey - Yes  
Joe Coca – Yes  
Mack Crow – Yes

Chairman Crow stated that the motion was approved unanimously and thanked all present and said that new residents and new businesses are welcome.

Chairman Crow stated that the fourth item under new business is an Application submitted by Alejandro J. & Sharon M. Rivera for a Zone Change from an M-1 (Light Manufacturing Zone) to an R-3 (Mixed Residential Zone) for property located at 701 Pecos Street. Purpose of the zone change is to sell lots for residential use and allow purchasers to place mobile homes on property.

Chairman Crow asked if everyone had a chance to review the information in their packet.

Mr. Ben Maynes stated, Mr. Chairman, the way the item has been presented has citizens in the community concerned with the change in zoning for their area, not because it has anything to do with the way it was submitted, only because of the way it is telecast and making it available to the public. Some people want to voice their opinion and we have had some problems with getting them on board to present. Staff would like to recommend to the Chairman and the Commission to consider making it more available to the public so all opinions can be raised and addressed. There are misconceptions of what a zone change from an M-1 to an R-3 is because an R-3 has a lot of permitted uses, not just mobile homes. It is not a mobile home park, but people need clarification.

Chairman Crow stated, what you would prefer is for us to not act on this today, because there are other people who would like to make comments and observations and you recommend that we postpone to a later date, is this correct?

Mr. Ben Maynes stated, to the next meeting if possible so people can voice their opinions and they can get a better understanding of what is actually happening. That is something that you can do as a Board.

Chairman Crow asked if everyone had heard what was said.

Mr. Eugene Romero asked Ben if this people were allotted the time to be able to get in this meeting through video or by phone or were they not allowed at that time. Mr. Romero asked why the suggestion is being made to postpone the meeting.

Mr. Ben Maynes stated that all notifications were done properly. It was something that came to our attention and we wanted to let you know. Because of COVID, we did not show the link on the legal notice it just stated that it was a google meeting.

Mr. Eugene Romero asked again, were these people invited to the google meeting (the ones that have internet service), provided a phone number to join the meeting by phone or were they given the opportunity to write something down and turn it in to Maria or to yourself.

Mr. Ben Maynes stated that all notices were given, but all we had on the legal notice was that it was a google meeting. There was concern about not being able to attend and not having computers to do so. This is P&Z's call.

Ms. Maria Perea stated, Mr. Romero, if you look at the Record Proper that was provided, I do not know what item it is, but look for the list of property owners and look at the Vicinity Map. It states in the second paragraph that

“Statements may be sent via fax to (505) 425-7335, Attention: Maria Perea, hand delivered to City Hall or via email at [mariaperea@lasvegasnm.gov](mailto:mariaperea@lasvegasnm.gov).” It further states that written testimony in favor or in opposition of this request is received, it will be read into the record and be made a part of the Record Proper.

Mr. Eugene Romero stated, thank you Maria. But again, Mr. Chairman, if they were afforded the opportunity with the notice that was provided, were they given a phone number to join the meeting, or if they have internet service where they given the opportunity to do so.

Ms. Maria Perea stated, no not with the notice I sent out as the meeting was not set up yet. I sent out those notices to the 100-footers fifteen (15) days before the meeting. By law, that is what I have to do. The notices were sent on March 12, 2021 and the meeting was not set up until last week. I did not have those links until I got the meeting notice for the google meeting.

Chairman Crow stated that he saw in the packets where you sent out the mail notices and the posted notice. Chairman Crow continued that on something like this he would like to have more of a chance for the general public to voice their opinion. Hopefully, we can meet in City Offices and actually to this in person. I hate to approve something of this magnitude without everybody having a chance to voice their opinion.

Ms. Dianne Lindsey stated that she saw that Ms. Rivera wanted to speak.

Ms. Sharon Rivera asked if Maria had received any notices faxed, sent to the City of Las Vegas or by email in regard to this. It does state on the notice “Written statements will be accepted until 2:00pm on Monday, March 29, 2021.” She asked if there were any for or against.

Ms. Maria Perea stated that she received one via email this morning or sometime in the last few days. Most of the people in the area voiced their concerns to their councilor, the mayor, or the city manager. I only received one and Ben sent the link to people that were listed on the email I received. I checked up front about 2:00pm to see if there were any faxes or anything. There was nothing.

Chairman Crow asked what the will of the Commission is. Would you like to postpone this until everyone has a chance to respond? I do not want to rush through this without giving people a chance to respond.

Ms. Dianne Lindsey stated that a lot of times when people get a chance to meet and hear the information direct, they are more comfortable. They may not be against it; they just need to know what is going on. I agree that this type of meeting is intimidating, it is difficult. We have spent forty-five (45) minutes just trying to get the meeting together. It is an important decision, and we want to take everybody’s feelings and thoughts about it into consideration. I do not see it as a problem, in the long run, I see it more as community building.

Chairman Crow thanked Dianne for her comments and asked if anyone else had any comments or observations.

Mr. Eugene Romero stated that he would like to hear from Mr. & Mrs. Rivera to see how this would impact them as far as their plans going forward. I want to know what their plans are. I know what we have on paper, but I want to hear from them and hear their side. In all reality, you are right, we do not want to move toward something that were not sure of who is for or against, although they should have voiced their opinions via email to Maria, or faxed them, or in person to her so she could tell us what those concerns are.

Chairman Crow stated, I agree with what you are saying 100%. I wish they could have attended this meeting and like you said, submit some sort of email or some sort of correspondence.

Mr. Eugene Romero stated again, I would like to hear from them. In reality, that whole area if they are selling lots, it is going to look a whole lot better than what it looks like right now. I would like to hear what their plans are and hear their situation as far as a time frame to get it done. A lot of times, a lot of this stuff is based on finances and getting financing to do it. We have to consider all sides of it.

Mr. Ben Maynes stated, we do have a couple of people that we invited. They are at this meeting as we speak. They do have concerns, but we did want to relay to you that there are more than what we have here right now.

Chairman Crow asked if Ben would like to have them speak now.

Mr. Ben Maynes stated that it was up to the board on what they wanted to do. He just wanted to share the feedback from the community. They were asking about not being able to get on and wanted to have more clarification of what is going on. It is up to the P&Z Board, not up to staff.

Chairman Crow stated that he would personally like to postpone this until we have a better chance to speak to all people concerned. I do not want to make a momentous decision over the telephone.

Mr. Eugene Romero stated that with the whole COVID situation and wanting to move forward with our businesses and move forward with the matters at hand, I would really still like to hear from Mr. & Mrs. Rivera, and I would like to hear from anybody that is for or against the during the meeting before I can vote aye or nay.

Chairman Crow stated that he agreed wholeheartedly. Chairman Crow asked for a motion from the Commission as to what their pleasure was.

Ms. Dianne Lindsey stated that she would like to continue with the people that are here. Then we can decide to postpone or not. Would that be fair?

Chairman Crow asked, you want to hear from the people that are here and then you would consider a motion to table or not, is that right?

Ms. Dianne Lindsey stated that is the way she saw it. I would like to hear from the Rivera's first.

Chairman Crow stated that was fine with him and asked if they were there and can speak to all of us, to proceed.

Mr. Ben Maynes stated, Mr. Chairman, I am not sure if they have been sworn in.

Chairman Crow stated that if they were there the first time they should have been, but we can swear them in again. Chairman Crow asked Mr. Eugene Romero to swear everyone in.

Mr. Eugene Romero asked everyone to raise their right hand and swear or attest to tell the truth, the whole truth and nothing but. Two people responded, "I do". Mr. Eugene Romero asked if there was anybody else.

Chairman Crow asked everyone to introduce themselves and express their opinion.

Mr. Alejandro Rivera said, Good Afternoon and thank you for attending this meeting and thank you for letting us be heard. I just want to say thank you for being here because I know that change is difficult. A lot of people in the community are sometimes misinformed or informed. There is a lot of stuff that goes with change. However, just like Mr. Romero mentioned, the 700 Pecos area is in disarray. What my wife and I are trying to do is provide upward mobility for those individuals that could actually acquire a property of their own. In doing so, it is going to beautify the area underneath the bridge where there is so much chaos and disarray. The bridge was recently painted and now there is graffiti again. If we sell those lots independently, we could get families that can actually acquire those lots and make something beautiful and at the same time keep an eye on the bridge. We are known in this community for graffiti and dread under the bridges. That is one of the things that I bring to this community. I am a therapist and have been for over 30 years. I purchased Shillinglaw and with this we have managed to keep the bridge relatively safe, clean, without debris, without needles and without people congregating. At the same time, we are affording it to the community as it is a community place. We purchased this property across the tracks because we were having a lot of trouble with people crossing the tracks and causing vandalism and graffiti. In fact, they broke into our building and stole all our computers and everything. We decided to do something about this

and provide individuals the opportunity to reach some upward mobility by owning their own property and building something nice in the area. That way, when Amtrak passes by or other people pass by, they can see something beautiful instead of something that looks like dread. We have cleaned it up and we are expecting to do a lot more to it so that somebody can actually be interested in purchasing it and be thankful that they can own a piece of the community. The only way we are going to make this community work is to inform the community and each other about situations and opportunities. This is going to give someone the opportunity to own something instead of living in the projects and at the same time beautifying the area under the bridge. I want others to be able to live in harmony in this community and the only way we are going to do this is to work together. I understand that individuals are afraid of change, but what would be worse, putting another junkyard there. We do not want to do that. We want to give other people a chance of having something instead of another junkyard. I am not saying a junkyard is bad, but it will give it a better aesthetic. It will be better for the community and maybe we can draw some people in. Thank you listening to me, I appreciate it. I think my wife wants to speak next.

Ms. Sharon Rivera stated that she would like to add that they have a family already interested in purchasing a property. I want to say almost half of it. They already purchased a double wide. I have received numerous texts from her asking about the meetings. They are waiting to be approved and they have to do their application. They are waiting to place the DW there. The dealership has been waiting for them to place it. I know they have to get the utilities and everything because none of these are there. This is kind of putting them back also. We submitted our application some time back but because of new members on the board, we had to wait for this meeting to be scheduled. So, time wise, it is putting us further back.

Chairman Crow thanked Ms. Rivera and asked if they had anything to add.

Mr. Alejandro Rivera stated not at this time.

Chairman Crow stated okay. I appreciate both of your presentations and asked if there was anybody else that would like to speak.

Mr. Eugene Romero stated that he could see somebody else on the screen, Frances Saiz. I do not know if she is here for the presentation or just to attend. I do not know if they have anything to say.

Ms. Frances Saiz stated that at this point, she is sole here as a member of the public.

Mr. Joe Coca stated that he noticed that Maria Perea has raised her hand.

Chairman Crow asked Maria to speak.

Ms. Maria Perea stated that it was an error. When she spoke earlier, she forgot to turn it off.

Mr. Ben Maynes asked Maria Perea to read the letter that was sent in via email.

Ms. Maria Perea read the letter received from Manuel & Jane Saiz in its entirety. NOTE: A copy of the email will be attached to these minutes and be made a part of the record.

Chairman Crow thanked Maria for reading the letter and asked if anybody else had comments on this issue.

Mr. Mike Sweeney stated he had a question for Ben or Maria. He asked if there would be sufficient water taps available to that area for numerous mobile homes. Is there still a moratorium on in the City? I do not know if the ordinance has been changed or not, as in order to get water taps, you need to bring some water to the table.

Mr. Ben Maynes responded to Mr. Sweeney. First of all, the zone change request is not for a mobile home park. That is one thing that we have to clarify to the public. Under the R-3 (Mixed Residential Zone) they can have single family dwellings. The only thing the R-3 does is it allows for mobile homes, double wide homes. They can build

a site-built home. This is not a mobile home park. As far as the taps go, they would have to work with Utilities on that.

Ms. Maria Perea stated that on the water taps, the moratorium, if I remember correctly, is for taps outside of City Limits. I would have to check with Ms. Gilvarry in regard to water taps inside of City Limits.

Mr. Ben Maynes stated that this is one of the misconceptions. What is coming across is that people think this is a mobile home park. We did not approve a mobile home park. This is not a mobile home subdivision, this already an approved subdivision. This is just for a zone change.

Chairman Crow asked if there were any other observations.

Mr. Eugene Romero asked Ben, when you say it was already preapproved as a subdivision, so that is that the subdivision is in place and we are just changing the zone from whatever it says on the paper, from M-1 to residential.

Mr. Ben Maynes stated that the permitted uses in the R-3 are long and it is up to the owner as to what they want to do because it is their property. It is up to them how they want to permit an R-3.

Mr. Eugene Romero stated, so on the process, educate me a little bit. In the process, the first thing to do is get the subdivision approved and then change the zoning for whatever the use is going to be and move forward from there, is that correct?

Mr. Ben Maynes stated that the lots have already been established, there is actually some boundary descriptions to all those lots. All that is happening is that half of the property was an M-1 and has been rezoned as an R-3. Doing the R-3 designation on the lower half would only complete the R-3 throughout the whole strip of land. All of this is in your packet.

Mr. Eugene Romero asked if it would stop spot zoning and it would put everything in the same kind of zoning in the area.

Mr. Ben Maynes repeated what he stated previously before Mr. Eugene Romero spoke.

Chairman Crow stated that he wanted to ask a question. This is not going to be a mobile home park, it is going to be a subdivision, is that correct? Mr. Ben Maynes stated that it has always been a subdivision, we are not subdividing, it is already subdivided. It has lots 1 through 10 and half of 11.

Chairman Crow stated, I see 1 through 10 and half of 11. So, they could place single wide there, build a stick-built home, a double wide or whatever they want. Mr. Ben Maynes stated that they could put anything that is permitted in the R-3 zone.

Chairman Crow asked, then each lot would have to get its own water supply, is that right? Mr. Ben Maynes stated that was correct.

Chairman Crow stated that he was just trying to clear that up. Access, of course, would be through Pecos Street, correct? Mr. Ben Maynes responded yes, that is correct.

Chairman Crow asked that on Lots 1, 2, 3 through 11, it did not take the entire lot. In other words, closest to the Railroad tracks there is areas like 40.7 tract and 38 and 32 and others. What are they going to do with those little bitty tracts?

Ms. Maria Perea responded that is Part of the railroad easement right now. If you look at the Jones map that I gave you and if you look at the deed it explains that the railroad took that much footage so that is why the west boundary is slanted.

Chairman Crow asked if those little tracts were part of the railroad easement. Ms. Maria Perea responded yes. Chairman Crow stated okay, that is all I wanted to know.

Ms. Maria Perea stated that included in the packets is a map showing how they were proposing to sell the lots. This might change as Ms. Rivera stated that someone was looking at purchasing about half of the property. They are looking at selling Lots 1 & 2 together, Lots 3 & 4 together, Lots 5 & 6 together, Lots 7 & 8 together and Lots 9 & 10 and the south half of Lot 11 together. If and when this is approved through this group and then through City Council, they will still have to come back to Community Development to complete the process. Ms. Maria Perea explained about the Development Application that has to be completed for utilities prior to any development in the area. Ms. Maria Perea stated that there are numerous documents that have to be submitted for this. This is not done until this process is finalized.

Chairman Crow asked if on the construction on the buildings that are put in there, is there a square foot minimum. Ms. Maria Perea responded that for an R-3 it is 5,000 square feet per lot. Chairman Crow asked how many? Ms. Maria Perea responded it is 5,000 square feet per lot. Chairman Crow stated that he was not talking about the lot, he is talking about the structure they place in there, is there a minimum square footage for that. Ms. Maria Perea stated that they can put in whatever as long as they meet the requirements. The setback requirements are 15 feet in the front, 15 feet in the rear and the R-3 is 5 feet on the sides. As long as they meet the requirements and get utilities out there, they are good to go.

Chairman Crow stated that he understood the intent is to brighten up the area and make the neighborhood look nice, but what keeps a squatter from coming in there and setting up a cardboard shack and living there.

Mr. Ben Maynes stated that Ms. Sharon Rivera had her hand up as they want to speak.

Mr. Alejandro Rivera stated that there are 11 lots, but the idea is to bring autonomy to individuals in the community by having only five (5) water taps. That is the whole purpose, not to bring in a lot of people under the bridge. Back in the day, they made lots 25 feet wide to where you had to get a variance and the homes are so close you cannot even walk through there. We want to make sure the community is beautiful and only 5 are in there. The other thing is, according to the law and according to P&Z, nobody can squat on the land. Nobody can put a shack in there. Everything has to go through the City to ensure that no one is going to put something that is not going to be conducive to the intention of what it is supposed to be.

Chairman Crow asked, so it will be 5 different lots or its 11 lots, but only 5 water taps. Mr. Alejandro Rivera stated that is correct.

Mr. Eugene Romero stated that he knew that if somebody were to try to build on a 25-foot lot the house would be so narrow because they would have to meet the setbacks. They could not build on a 25-foot lot. Mr. Eugene Romero stated that he had several properties in the area and since the houses were existing, the distance between the houses is so narrow that you cannot even walk between the houses. I understand the idea of widening the lots to meet the egress that is required in front, back and sides. Mr. Romero continued that in his opinion it would beautify the city. You know that the entrances to the City are important. I am thinking that if they are increasing the lot sizes and people are going to be able to buy properties and move a home in or build a home there, it is a plus for the City.

Chairman Crow thanked Mr. Romero for his comments and stated that he agreed with what was said. I misunderstood, I thought there was going to be one structure on each lot. Chairman Crow asked if there were any other questions.

Ms. Dianne Lindsey stated she wanted to ask Ben & Maria a question. She asked if they wanted to postpone this vote to the earliest time where we could get notification to this people that do not understand the project. Is this something that we could do sooner rather than later. She asked if they have to wait a month or could it be done in two weeks. My reasoning behind this is that it sounds like misunderstandings and miscommunication builds



difficulty for new neighbors and that seems to be hard anyway. If they understand it is not a mobile home park and if they can understand what the advantages to this are, which I could not see, and we did not know until we came to this meeting. I would help a lot in the transition between the empty lot and having the lots developed. Development causes a lot of hassles for everyone, but then it is over, and people move in. Ms. Dianne Lindsey spoke about her neighborhood. I am hoping that if we could do a little better communicating, answering questions and let people feel like they have been heard, it will help. I think sometimes that is the biggest hurdle, people do not feel like they have been heard. I want to ask to ask if we could meet at a special meeting in two weeks or whatever we can do to hurry up the process because the Rivera's have also been waiting for a long time.

Ms. Maria Perea stated that if you look at rules and regulations, whatever kind of meeting we have, we still have to do a legal 15 days prior to the meeting. It is going to be up to you. I think for this people to come in and be heard, we have to verify with the City Clerk's Office how many people are allowed in person and have an in-person meeting. That way, they can come in one at a time and voice their concerns. Or maybe have a public meeting so that everybody can be heard.

Chairman Crow stated that he agreed and wished it could be done.

Mr. Mike Sweeney stated that in accordance with that, when would be able to meet in person. Is it possible for use to meet in person next month? Ms. Maria Perea stated that she would verify with the City Clerk's Office if people were allowed in there and then we can schedule a meeting as soon as possible. Chairman Crow asked for an in-person meeting? Ms. Maria Perea responded yes. Chairman Crow asked if there were any other observations and asked Mr. Joe Coca to speak.

Mr. Joe Coca stated he agreed with the observation chairman Crow made on this, and also with Ms. Lindsey and with Maria. If we can get this postponed for the next 15 days, an inn-person meeting is the route to take in all fairness to the public and Mr. & Mrs. Rivera.

Mr. Ben Maynes stated that Mr. Rivera had his hand up to speak. Chairman Crow asked Mr. Rivera to go ahead.

Mr. Alejandro Rivera stated that he would like to reiterate that primarily because of COVID we are in this situation where we have to have zoom meetings. We have to abide by that. We are still not fully operable in the community to where we can meet in person. People were given the opportunity to send in their aye or nay. He stated that people did have the opportunity to submit for or against, although it is unfortunate that some have the means to do this and some do not, but they were provided several avenues to submit concerns or opinions besides in person. If we postpone it another 15 days and then find out our COVID count has gone up, then where are we at this point. In a perfect world we could sit down and communicate, but this is not the case. I would encourage the board to look at it this way and vote to pass this so we can move on. Mr. Rivera suggested having the meeting under the bridge to keep far enough apart so he could explain things more eloquently.

Chairman Crow thanked Mr. Rivera for his comments and stated that too bad we do not live in a perfect world you are discussing and asked what the pleasure of the commission was.

Mr. Mike Sweeney made a motion to table the matter until we can have an in-person meeting and give the public a chance to attend. He hopes that this can occur within a month.

Chairman Crow asked if everyone had heard the motion.

Mr. Ben Maynes stated that City staff could not guarantee an in-person meeting in one month.

Chairman Crow asked what is the fastest you can get to it.

Ms. Dianne Lindsey stated, Mr. Chairman, I think he means that we cannot get it in-person. What if we do meet outside? I do not think that we are going to have tons of people. We might have 10-15 at the most. So, if we want to have it outside, would that be allowable?

Chairman Crow stated that would be a question for City staff and asked Maria if that would be okay. Ms. Maria Perea stated that she did not know. Mr. Ben Maynes stated that a bigger venue where there is more elbow room like the Rec Center would be okay.

Mr. Eugene Romero stated that he would like to make a motion to approve the zone change.

Chairman Crow stated that we cannot have two motions on the floor at the same time. Chairman Crow asked Maria to read the first motion. Maria read: Motion was made by Mr. Mike Sweeney to table until we can have an in-person meeting, hopefully in one month, so that everybody can speak.

Chairman Crow then asked Maria to make a note that City staff that an in-person meeting could not guarantee that the in-person meeting will happen within one month. Chairman Crow asked if there was a second to Mr. Sweeney's motion.

Ms. Dianne Lindsey seconded the motion. She continued that maybe the motion could be amended by stating that the City cannot guarantee an in-person meeting, but we can also amend it that we would be willing to meet outside or in a bigger venue so we can do it as soon as possible. I probably did not word this correctly. Mr. Ben Maynes stated that the only person that can amend a motion is the person who made it. Mr. Mike Sweeney stated that he was willing to amend his motion if it requires a change in venue for an in-person meeting. Chairman Crow asked, by change of venue, do you mean either outside or in the Rec. Mr. Mike Sweeney stated yes, sir. Chairman Crow asked if there is any more discussion on the matter. We have a motion on the floor and a second, can we have a vote. Chairman Crow asked for a Roll Call vote.

ROLL CALL:	Eugene Romero – No
	Mike Sweeney – Yes
	Dianne Lindsey - Yes
	Joe Coca – Yes

Chairman Crow continued with an amendment by Mr. Mike Sweeney to see if we can have an in-person meeting at a different venue if the City cannot guarantee an in-person meeting at the Council Chambers. Ms. Dianne Lindsey seconded the amendment. Mr. Ben Maynes stated that on the amendment, the term that was used was the Rec Center, the Council Chambers was never brought up. Chairman Crow stated, what you are saying is we need to say Rec Center or Chambers or outside, is that correct? Mr. Ben Maynes stated just say another venue that is large enough. Chairman Crow just asked if Mr. Mike Sweeney if he was in favor of that verbiage instead of voting. Mr. Mike Sweeney stated that was fine. Chairman Crow asked all the votes that voted yes to the amendment, are you okay with the verbiage. Both Ms. Lindsey and Mr. Coca stated yes. Chairman Crow stated that we have to vote on the first motion and asked for a roll call vote.

Mr. Eugene Romero asked the Chairman Mr. Mike Sweeney to repeat his motion because he was not sure if the motion was to table with a new venue or a new place.

Mr. Mike Sweeney restated his motion. The motion is to table the matter on the 701 Pecos property until we are able to schedule an in-person meeting with, if necessary, a change in venue that can accommodate more people, be it inside or outside, but large enough for people to attend in person.

Chairman Crow asked Maria to take roll on that. Ms. Maria Perea stated that roll has already been taken on the first motion which was amended. We are just redoing the motion again. Chairman Crow stated that is correct. Ms. Maria Perea asked if there was a second to the motion just made by Mr. Mike Sweeney. Ms. Dianne Lindsey stated

that she thought she had seconded it but will second again. Ms. Maria Perea stated that now she could do the roll call.

ROLL CALL: Eugene Romero – Yes  
Joe Coca – Yes  
Dianne Lindsey - Yes  
Mike Sweeney – Yes

Chairman Crow stated that the motion passes. This is the will of the Commission and we will go from there.

Chairman Crow stated that next if there was any other business to discuss before we adjourn. Mr. Ben Maynes stated that Mr. Rivera had his hand up and wanted to speak.

Mr. Alejandro Rivera stated that with all fairness to what is transpiring, he would encourage that the venue be underneath the bridge so that everyone that is attending can actually see what is going to go on. He stated that the 7 were not given a say to the change of venue and felt the best scenario for the meeting. Mr. Ben Maynes that would be a question for Municipal League. We cannot go to that site because it is the site in question. We would have to check as sometimes that is not allowed. Off-site visits by the whole board.

Chairman Crow asked if he wanted to check with City Council or the City Attorney to see if that would be allowed. Mr. Ben Maynes stated that a meeting under the bridge was not a good idea. We cannot have all the Commissioners and the Chairman and everybody over there as it would be a conflict of interest. Chairman Crow asked a conflict of interest? Mr. Ben Maynes stated that it would be leaning one way or the other for people for or against.

Mr. Mike Sweeney suggested that the Rivera's make a video of the area along with an explanation of what is going to be done. That could clarify the matter for a lot of people.

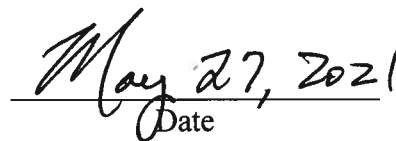
Chairman Crow stated that he understood the issues of liability of being under the bridge, but I got confused when you said it would be a conflict of interest. Mr. Ben Maynes stated when a zone change like that is going to happen, rules apply that do not allow it. Chairman Crow stated that staff should verify with the Municipal League and let the Commission know.

There was further discussion on the motion made and approved, because of the change in venue.

Chairman Crow asked if there was any other business. Mr. Joe Coca made a motion to adjourn the meeting. Chairman Crow asked if there was second to this motion. Mr. Eugene Romero seconded the motion. Chairman Crow asked all that were in favor of adjourning the meeting say "Aye". All said "Aye". Chairman Crow make a few more comments to the attendees and thanked everyone for being patient.

Meeting was adjourned at approximately 6:00pm.

  
Mack Crow, Chairperson

  
Date

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## Written Testimony Regarding Proposed Zoning Change for 701 Pecos St.

1 message

Frances Saiz <francesaiz@gmail.com>

Sun, Mar 28, 2021 at 1:10 PM

To: mariaperea@lasvegasnm.gov

Dear Planning and Zoning Commission,

We are writing to express our strong opposition to the proposed zoning change from an M-1 (Light Manufacturing Zone) to an R-3 (Mixed Residential Zone) for the property located at 701 Pecos St in Las Vegas, NM. As residents of the neighborhood encompassing [701 Pecos St.](#), we find ourselves to be amongst a quiet group of people who keep to themselves and as such, we have no concerns with each other's character as we all respect one another and this esteem extends to our properties as well. The residents of this area are well acquainted and have decades old relationships with each other. As lifelong residents of our current address, the most prevalent reasons for our distress over the changes that would be forced on the area through approval of the proposed zoning change are many. The most prevalent are noted below in no particular order.

The undesirable effect on our infrastructure by the zoning change raises concern. The road surface has become dilapidated and is rarely plowed in the winter, which forces that duty on the residents of the neighborhood, one in particular, who helps the neighbors and for that, we are grateful. Furthering this concern is the use of heavy equipment that will be required each time a new trailer is brought in. This is going to cause additional damage to our streets already in disrepair and disrupt our peace and quiet. New lot additions to 701 Pecos St. are going to cause interruptions to our daily lives, for instance when a new residence is getting tied into the existing water lines. The question also arises as to whether the utilities will be upgraded - electrical transformers for example - to handle the additional load placed upon them. The cost for such upgrades will eventually be passed on to the residents that oppose the proposed ordinance change. Instability of utilities can be life threatening to persons with medical issues, such as those who take medications that require refrigeration, or those reliant on oxygen concentrators that must be plugged in to an electrical source.

With new people moving into the trailer park as a result of approval of the proposed zoning change, comes the potential for entry into our neighborhood by citizens who do not feel the laws apply to them. Drug dealers, and others who engage in illegal activity, can be difficult to reason with. This poses direct danger to us and to our neighbors, a concern we do not currently have. As a Disabled Veteran with PTSD, avoiding this additional stress is ideal.

There are existing attributes of this neighborhood that may be exacerbated by new residents, such as graffiti and broken bottles under the overpass. These conditions already have a negative impact on our property values, and we worry that the addition of a trailer park is going to cause our property values to decrease even further. This is an undesirable consequence we would suffer if the zoning change is approved.

We have spoken with the neighbors who would be affected by this zoning change, and although they have all voiced their opposition to the proposed zoning change, we do not know whether they have been able to make their opposition known in the manner outlined in the certified letter we received. We urge you to disapprove this zoning change and appreciate your continued service and support of our community.

We would like to request the code for the Google Meet Video Conference so that we may attend. The meeting code can be provided to this email address - [francesaiz@gmail.com](mailto:francesaiz@gmail.com), and please also add [janesaiz1952@gmail.com](mailto:janesaiz1952@gmail.com) to the list of attendees.

Thank you,

Manuel and Jane Saiz